United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

THIRD PARTY SUMMONS IN CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

CASE NUMBER: 05-CV-0329-JOE-S&J

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Tahlequah OK 74464

Virgina M. Peyton individually and as Trustee of The Peyton Family Trust d/b/a To: Pevton's Place 10298 Highway 10,

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS

ATTORNEYS:

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa; QK 741/19 Vetarson Farms

Robert W. George Kutack Rock LLP Three Sisters Building West Dickson Street Fayer eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C.Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

mar 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE/SAJ

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

John T. Cripps individually

PO Box 606,

Sallisaw OK 74955

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsil OK 74/19
For Preference Farms

Robert W. George Rutack Rock LLP The Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 F.obert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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	/	
Phil	Lombardi	
	LOUISOULUS	

Clerk

(By) DEPUTY CLERK

MAR 1 5 KUUS

Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

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TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Eurma White d/b/a
Baron Fork Creek Camp
PO Box 383,

Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

Joyce, Paul & McDaniel PLLC

South Boulder, Suite 200

A. Scot: McDanjel

Tulsa, DK 74119
For Peterson Farms

Robort W. George
Rurack Rock LLP
The Three Sisters Building
2:4 West Dickson Street
Favetteville, AR 72701-5221

For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Avc., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

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TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Alice L. Ewell d/b/a

Pettit Bay Cabins & Grocery

19438 S. 480 Road, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Fulsa, OK 74119
(For Feterson Farms

Kotack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

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David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demandir g judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lømbardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINT(FF

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TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

٧.

Alice L. Ewell individually 19438 S. 480 Road, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Wcaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutteck Rock LLP The Three Sisters Building 914 West Dickson Street Fayet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Date

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JØE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Earl L. Ewell d/b/a

Pettit Bay Cabins & Grocery

19438 S. 480 Road, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIEFS ATTORNEYS:

A. Scott McDaniel
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1717 South Boulder, Suite 200
Tulsa, Ok 74119
(For Paterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay
Kerr, rvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119

For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Earl L. Ewell individually 19438 S. 480 Road, Park Hill OK 74451

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce. Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutak Rock LLP The Three Sisters Building 214 West Dickson Street Fayous ville, AR 72701-5221 For Tyson Foods, Inc.

R Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Avc., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc. George W. Owens

Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C.

100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombard

Date

MAR 1 5 2006

Clerk

D. Malanden

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Barbara L. Kelley d/b/a Diamond Head Resort 24118 S 563 Rd, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Atlen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS

ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Parms

Robert W. George Kulsch Rock LLP The Three Sisters Building 214 West Dickson Street Eryetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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	/	
Phil	Lombardi	

MAR 1 5 2006

Clerk

Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. **PLAINTIFF**

٧.

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

City of Tahlequah, et al. THIRD PARTY DEFENDANTS

To:

Barbara L. Kelley individually

24118 S 563 Rd, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver

Riggs Abney Neal Turpen Orbison & Lewis

502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Foulder, Suite 200 Tulsa, OK 74119 For Peterson Far

Robert W. Ocorge Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 ∵⊅⁄son Foods, Inc.

Thomas Lay Kerr, rvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102

For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

Page 9 of 40

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119

For George's Inc. John R. Elrod

Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi		MAR 1 5 2006
Clerk A M O 1	Date	

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

V.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Kevin R. Kelley d/b/a Diamond Head Resort 24118 S 563 Rd, Welling OK 74471 CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clock of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
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1717 South Boulder, Suite 200
Tulsa OK 74119
For Pererson Farms

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R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

Page 10 of 40

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

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TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA,

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Kevin R. Kelley individually

24118 S 563 Rd, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa. DK 74119
For Peterson Farms

Robert W George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street

etteville, AR 72701-5221

For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc.
George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.

234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk .

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

James C. Geiger individually

Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the olerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 741/9
For Patersor Farms

Rotor, W. George Kutheli, Rock LLP The Three Sisters Building 2) 4 West Dickson Street Pryetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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D1.:1	Lombardi	
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Clerk $\sqrt{}$

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Jane T. Spencer d/b/a Spencer Ridge Resort Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel

Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms Robert W George Kunck Fock LLP The Three Sisters Building 214 West Dickson Street Fryctieville, AR 72701-5221

or Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrinc, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

MAR 1 5 2006

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Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Kenneth D. Spencer d/b/a Spencer Ridge Resort Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scett McDaniel
Joyce, Paul & McDaniel PLLC
i717 South Bouldor, Suite 200
Tulsa, OK 74119
For Fetersory Farms

Robert W. George Kungel Rock LLP The Three Sisters Building 214 West Dickson Street Payetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

MAR 1 5 2006

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Kenneth D. Spencer individually

Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the cyerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Federson Farms
Rubert W. George

Kwack/Rock LLP
The Piree Sisters Building
214 West Dickson Street
Payetteville, AR 72701-5221
For Tyson Foods, Inc.
R. Thomas Lay

R. Thomas Lay
Kerr, Frvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC
P. O. Box 1710
The OK 74101 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

MAR 1 5 2006

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

James C. Geiger d/b/a To: Spencer Ridge Resort Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the greek of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa: OK 74/19 For Peterson Farms

📈. George Katack Rock LLP The Three Sisters Building 4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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⁄ombardi

Clerk

Date

MAR 1 5 2006

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Jane T. Spencer individually

Route 1, Box 222, Kansas OK 74347

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

(By DEPUTY CLERK

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutack Rock/LLP The Uhree Sisters Building 314 Vest Dickson Street Faver cyille, AR 72701-5221 For Pyson Foods, Inc.

R Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC
P. O. Box 1710

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi		
Clerk	Date	
X Ma Och		

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Brenda K. Spears d/b/a Pine Valley Cabins 7687 Highway 10, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce/Paul & McDaniel PLLC
1717 South Doulder, Suite 200
Tulga, Ok /74119
For Figureson Farms

Robott W. George Klyack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklał oma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAK 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lømbardi

Date

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Jack Spears d/b/a **Pine Valley Cabins** 7687 Highway 10, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP the Three Sisters Building 2) 4 West Dickson Street √yet:eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

mAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil	Lombardi
	

Clerk

Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Olivia Greenhaw Service agent for Tahlequah Livestock Auction, Inc. 1841 W. Choctaw Street.

1841 W. Choctaw Street, Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

(By) DEPUTY CLERK

DEFENDANT AND THURD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tursa, OK /4119
For Peterson Farms
Action W. George
Karack Rock LLP

The Three Sisters Building

214 West Dickson Street

Fayetteville, AR 72701-5221 For Tyson Foods, Inc. R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102

For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue

David C .Senger Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi
Clerk
Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS/IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQÉ-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Gordon W. Clinton individually 23605 S. Goodnight Lane, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDanjel

1717 South Foulder, Suite 200 Tulsa, OK 74119 For Peterson Farms Robert W. George Kytack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221

For Tyson Foods, Inc.

Joyce, Paul & McDaniel PLLC

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710

For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street

Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200

Fayetteville, AR 72701 For Simmons Foods, Inc.

MAR 1 5 2006

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Phil Lombardi

Date

Clerk

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al.

PLAINTIFF

ν.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Susann Clinton individually 23605 S. Goodnight Lane, Welling OK 74471

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robeyl W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrinc, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lornbardi Clerk

Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Norma Williams individually

PO Box 177,

Siloam Springs AR 72761

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson

Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa. OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 Vext Dickson Street Favetteville, AR 727(1-5221 For Tyson Foods, Inc.

R) Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

Page 23 of 40

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk
Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Perry Williams individually

PO Box 177,

Siloam Springs AR 72761

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Fetersory Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Edyctteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine. Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

...AR 1 5 2006

Date

Clerk

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Elmo Eddings individually 26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boylder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 24 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

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George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk /

Date

MAR 1 5 2006

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Charline Long individually

26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the cyerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 741/19
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 204 West Dickson Street Payetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Fobert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue

David C .Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi
Clerk Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

٧.

Elmo Eddings Long individually

26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 24 West Dickson Street Rivetteville, AR 72701-5221 For Tyson Foods, Inc

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For V/illow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

V.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

LaDonna Eddings Caviness individually

26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Bounder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Kobert W. George Kuttek Rock LLP Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Date

Clerk

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., ct al. **PLAINTIFF**

٧,

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Thomas E. Eddings individually 26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayet:eville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Clerk

Date

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Sue Eddings Shankle individually

26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Rober: W. George Cutack Rock LLP The Three Sisters Building West Dickson Street Tyetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Date

Clerk

(By) DEPUTY

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JQE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: The Corporation Company Service agent for Sequoyah Fuels International 735 First National Building, Oklahoma City OK 73102

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayet eville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Date

Ølerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

v. City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Bonnie Eddings Kile individually

26367 Hwy 62,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRC PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George
Kurick Rock LLP
Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lomba<u>rdi</u>

Clerk

DEPUTY CLERK

MAR 1 5 2006

Date

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Floyd Simmons individually

RR3 Box 1270, Stilwell OK 74960

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74/19
For Peterson Farms

Rober: W. George Kutack Rock LLP The Three Sisters Building 2/4 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Feods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

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Phil Lombardi

MAR 1 5 2006

Date

Clerk

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Cherrie House individually

PO Box 512,

Chouteau OK 74337

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 7/119 For Feterson Farms

bert W. George c Rock LLP Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

MAR 1 5 2006

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

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Phil Lombardi

Date

Clerk

Document 230-3 Filed in USDC ND/OK on 03/15/2006 Page 35 of 40

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

William J. House individually To: PO Box 512,

Chouteau OK 74337

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel

Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74/19 Peterson Farms W. George Nulax Rock LLP The Three Sisters Building

214 West Dickson Street

Fayetteville, AR 72701-5221

For Tyson Foods, Inc. R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

MAR 1 5 2006

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint./There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

(By) DEPUTY CI

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

Ricky Neil Fowler individually To: 112 Eubanks,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce. Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Culsz. OK 74119 Ror Peterson Farms

. Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C . Senger

Perrine, McGivern, Redemann, Reid,

Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

ømbardi.

MAR 1 5 2006

Date

Clerk

(By) DEPUTY

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE/SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Tonya Fowler individually 112 Eubanks,

Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Feterson Farms

Nober W. George
Kitch Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

E 2006

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

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Phil Lombardi		
Clerk /	Date	
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Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-9329-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Billy D. Glenn individually 21399 E. 556 Road, Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tyrsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetieville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C. 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

MAR 1 5 2006

Date

Clerk

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

٧.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-03/29-JOE-SAJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

Norma Glenn individually 21399 E. 556 Road, Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010



A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119 For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fuyetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C. Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

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MAR 1 5 2006

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Phil Lombardi

Clerk

Date

Combardi

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. **PLAINTIFF**

v.

TYSON FOODS, INC. et al. **DEFENDANTS AND THIRD-PARTY PLAINTIFFS**

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-8AJ

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To: Bobbie Ann Stratton individually 19216 W 915 Road.

19216 W. 915 Road, Cookson OK 74427

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Feterson Farms

Rober, W. George Kutzek Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Okłahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

Page 40 of 40

P. O. Box 1710 Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

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- 200G

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Phil Lombardi		MAR I 5 Zugus
Clerk	Date	